

**MINUTES NO. 195
PARKS & OPEN SPACE COMMISSION
OCTOBER 8, 2002 7:30 P.M.
Regular Meeting
Town Council Chambers
1505 Tiburon Boulevard, Tiburon, California**

CALL TO ORDER

Chair Lindqvist called the regular meeting of the Parks & Open Space Commission to order at 7:34 P.M., Tuesday, October 8, 2002, in the Town Council Chambers, 1505 Tiburon Boulevard, Tiburon, California.

I. ROLL CALL

PRESENT: COMMISSIONERS: Lindqvist, Fraser, Zender, and Canter

ABSENT: COMMISSIONER: McMullen

EX-OFFICIO: Town Engineer/Public Works Director Echols and Planner Watrous

II. PUBLIC QUESTIONS AND COMMENTS

Wayne Snow briefly commented on two issues that he would like to see on future P.O.S.C. agendas, the first of which is the improvements at Blackie's Pasture that was discussed at the March P.O.S.C. meeting. He stated that he has been in communications with both Director Echols and Mr. Smith of the Tiburon Peninsula Foundation. He addressed the decision that, due to a lack of funds, there will be no landscaping improvements to the Shoreline Project, the section between the berm and the overflow parking lot at Blackie's Pasture. Snow clarified for Chair Lindqvist and Vice Chair Fraser that the bid for the Blackie's Pasture project was thirty thousand dollars and that it would cost an additional eleven thousand to make the proposed improvements to the berm. The Foundation informed Snow that they are not able to provide the additional funds for improvements to the berm at this time. Snow is disappointed by this decision and commented that it affects his credibility due to the fact that he communicated with others that the improvements would be made to that area.

Snow requested that the issue of commercial vehicles using the overflow parking at Blackie's Grove also be agendaized. He suggested that an ordinance be revised to address this issue and would like to see signage be put up in the area to. Commissioner Cantor would like to get feedback from the Police Department regarding the staging area across from the department.

The Commission confirmed that both issues addressed by Snow, commercial parking in the overflow lots and the Blackie's Grove and the landscaping project on the berm along Tiburon Blvd., will be agendaized for the next P.O.S.C. meeting.

III. STAFF AND COMMISSION BRIEFING

Chair Lindqvist commented on a letter received from BPAC, Bicycle and Pedestrian Advisory Committee, to appoint a member of the P.O.S.C. to serve on a sub-committee that will focus on the multi-use path.

Vice Chair Fraser gave a brief overview of the topics discussed at the previous BPAC meeting, in which the committee addressed the issue of creating a safer environment for all pedestrians along the multi-use path. BPAC would like to see a sub-committee formed, including an appointed member of the P.O.S.C., to address issues such as education, safety, and signage.

Fraser recommended to agendize the appointment of a P.O.S.C. member to the BPAC sub-committee for November's Commission meeting.

Director Echols informed the Commission that Questa Engineering, the consultant retained for the Trestle Glen Bike Study, would be giving a presentation at the October 22 BPAC meeting at 6:00 p.m. Over three hundred notifications have been sent to inform the residents in the area surrounding Trestle Glen of this presentation. At some time in the future, there will be a formal presentation given to the P.O.S.C.

Chair Lindqvist asked Director Echols for an update on the status of the Railroad Marsh and questioned if the funds were available to provide the necessary maintenance to the marsh. Echols replied that although the funds are in place, permits need to be obtained before any maintenance work can begin. Echols is currently in the process of obtaining permits, but because there is a window of when maintenance can be performed due to the threatened species residing in the marsh, maintenance work will most likely not begin until September 2003.

IV. CONSENT CALENDAR

- A. Minutes of August 13, 2002 (No. 194) M/S Lindqvist/Fraser (4-0) to approve as submitted.**

V. BUSINESS ITEMS

- A. Request by Richardson Bay Sanitary District to remove several eucalyptus trees on Town property adjacent to treatment plant**

Planner Watrous gave a brief overview on the issue of removing eight large eucalyptus trees on the property of the Richardson Bay Sanitary District. The trees are located on the property of the Richardson Bay Lineal Park on a 100 foot stretch directly above the plant but below the upper portion of the multi-use path near Tiburon Boulevard and Stewart Drive. The trees were originally planted to provide screening of the plant for the uphill residents. The request to

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remove these trees was made because the trees have become overgrown and are losing their branches, which has created unwanted debris that is interfering with the operations of the plant. If removed, there would be some form of a replanting plan, although the specific species has not been identified at this time. The species chosen would need to be able to screen the plant from the adjacent multi-use path and the uphill homes across Tiburon Blvd., but nothing that would grow so tall that they would begin to block the view of Richardson Bay, as the eucalyptus trees currently do. The application within the report was reviewed by the Planning Department for conformance of the Tiburon Tree Ordinance and with the draft policy of the Parks and Open Space Rules and Regulations.

Rick Buell of 50 Stewart Drive commented on behalf of himself and his neighbor, Bill of Virginia Avenue. Buell objected to the fact that he did not receive any type of notice on trimming the trees and he stated that he would like to see the trees cut down as originally planned, not trimmed. He would like to see that he and his neighbors be notified if the plans to cut down the trees have in fact been changed to allow the public a chance to object. He continued by stating that the eucalyptus trees are not the only issue, but that the Monterey pines along the 100 foot stretch on Tiburon Blvd. should also be cut to allow for better views of the bay.

Commissioner Lindquist asked Buell what he feels an ideal height would be for trees in that area. Buell replied that he would like to see trees no higher than the guard-rail on the freeway. Buell continued by stating that not only do the trees greatly affect his property value, but more importantly he would like his view of the bay back. He concluded by stating that when he initially purchased his property, he had no idea that the trees would grow so tall.

Ms. Miglietta of 557 Silverado agreed with Buell's remarks and commented that her view of the bay is also shrinking. She supports removal rather than maintenance due to the high costs associated with having to maintain the trees year after year.

Eleanor Becker, a resident of 567 Virginia since 1966, was also in agreement with Buell. She too has seen the gradual encroachment of trees along Tiburon Blvd. and agreed that topping and trimming would not be a cost-effective resolution. She suggested that trees with vibrantly colored, deciduous leaves, such as maple or liquid amber, replace the existing eucalyptus and pines. She commented that the current trees do not complement the bay and are ugly. She too would like to see the trees removed as originally planned.

Wayne Snow of 100 Jefferson Drive thanked the city for informing him of this item. After listening to his effected neighbors, Snow agrees that replanting with an appropriate species would be an ideal resolution. He would like to preserve, or get back, the view of the bay off of Tiburon Boulevard.

Henry Broderick of 20 Rowley Circle introduced himself as a defender of the trees in Town but he too agrees that the eucalyptus trees in question are "bum" trees. He commented that if the trees are to be replaced that they should be replaced with a species that will yield leaves year-

APPROVED

round so as to provide uninterrupted coverage of the sewage treatment plant. He questioned why the plans have changed from removal to thinning and topping.

Commissioner Canter replied to Broderick's question by stating that Frank Dittle of the Richardson Bay Sanitary District decided preventative pruning, not removal, should be done. He is concerned that the computer box at the Sanitary District's office could be damaged if tree limbs fell in the future. Dittle didn't realize when he initially made the decision to remove the trees that serious erosion problems could result. Another motivation for trimming the trees, as opposed to removal, was that although the trees are very close to the building, they do not actually hang over the building at all. His remedy is to trim them to prevent branches from falling on the building. His main concern is that the main computer module will be damaged by falling tree limbs.

An audience member commented that trimming and pruning may eliminate some problems but that the main problem is that maintenance issues keep arising every couple of years. He referenced a similar situation at the Hawthorne Terrace tennis courts, in which a solution was made with the tennis club to effectively maintain the trees in that area.

James Ferguson of 551 Virginia Drive also attended the meeting to show his support for removal of the eucalyptus trees. He stated that he too was not aware of a request by the Sanitary District to change plans to trimming and pruning. Ferguson supports removal and substitution of the trees with appropriate vegetation that will provide year-round screening of the sewage plant but not encroach upon his views. He surmised that trees with a height of approximately 20-30 feet at maturity would be appropriate. He would also like to see the pine trees cut down because they too have had a very large impact on his views due to the height that they have grown to. Ferguson further commented that the eucalyptus trees in question shed leaves on the bike path and create a slippery and dangerous surface when cycled over.

Priscilla Tripp, a resident of Howard Drive for the past thirty years, stated that she was happy to hear the Sanitary District had rethought their decision to remove the trees and opted to prune and trim them instead. She commented that she did not like the feeling [absence of trees] when they had been cut down a few years ago to accommodate the undergrounding of wires. If the trees were to be cut down, however, she would favor trees that did not create leaf problems and that would be green and bushy throughout the year.

Kay Pellicciarini of 544 Comstock Drive owns a home that looks down at the eucalyptus trees in question and stated that they do take away a good portion of her view of the bay and Sausalito. She agrees with the previous comments supporting tree removal. She suggested that a retaining wall be erected to control any erosion problems that may arise.

Henry Broderick stated that he is not convinced that removal needs to take place. He does feel that the trees need to be cut way down and stated that he feels that bringing up erosion is merely a red herring and a retaining wall is not necessary. He points out that removing the trees will substantially enhance views for not only homeowners but motorists traveling along that section

APPROVED

of Tiburon Blvd. as well. He further stated that because residents' views in Del Mar are not directly impacted by the trees, the Commission should discount their comments.

Another audience member commented that the trees belong to all of the residents of Tiburon. He stated that it is not only the people whose views are obstructed that are interested in the presence or removal of the eucalyptus trees. He believes that the trees enrich our lives and enhance our way of living for anyone who enjoys residing in Tiburon and seeing trees on either side of the highway. He finished by stating that he is on the watch for tree removal and that the council will see him whenever there is the threat of a tree being removed.

Ms. Miglietta spoke of an automobile accident that occurred near the bike path because of the leaves shed by eucalyptus trees. She stated that the debris shed by the trees was at fault, and that the city removed, not pruned, the trees because of their potential to cause hazardous road conditions. She further stated that she does not feel that eucalyptus and pine trees fit into Tiburon's landscape.

Commissioner Zender questioned why Mr. Dittle did not state specifically how much of the trees are to be topped. Commission Cantor replied that Mr. Dittle does not want to top any of the trees.

Commissioner Cantor informed the P.O.S.C. that Mr. Dittle did not come to tonight's meeting because he had another meeting to attend. Zender commented that he should be asked to attend the next P.O.S.C. meeting.

Planner Watrous clarified for the Commission that they are not being asked to take action on the application for the Sanitary District. Rather, they are being asked to provide input to the Community Development Department, at which point they will work with the District to determine what is most appropriate. He again clarified for the Commission that the process for a tree permit requires the Staff to make a decision. The feedback from the public and the Commission will aid them when discussing the pro's and con's of each option. Ultimately, it is up to the District to make the final decision because the Town is not intending to do the work. If the District decides that they do not wish to remove the trees, the Town cannot compel them to do otherwise.

Commissioners Zender and Fraser both expressed disapproval that the District changed their position just before the P.O.S.C. meeting, particularly after the Town spent the time to review the tree permit and compose a staff report. Commissioner Zender stated that it is unfair that a representative from the Sanitary District is not present to address the concerns of both the public and the Commission. Planner Watrous assured Zender that the feedback received tonight will be forwarded to the Sanitary District. Zender suggested that Staff prepare another report in regards to trimming and/or topping the trees.

Planner Watrous explained that because the change in direction came so late, Staff did not have time to modify the report and had to present it as a late mail item. He asked that the Commission

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keep in mind that Staff will make a decision if the District applies for a tree permit. He stated that it is clear that most of the public attending the meeting are in favor of either removal or significant topping of the trees, with a small amount of people in support of trimming. However, the ultimate decision will be made between Town staff and the Richardson Bay Sanitary District.

He again clarified that if the District decides that they would like to perform only normal trimming, they will not need a permit, as there are no policies for routine trimming. However, there is the potential that the District may change their minds yet again as to what type of maintenance actions they would like to take with the trees.

Commissioner Cantor suggested further comments on the issue be held until a representative from the District is able attend a P.O.S.C meeting and give a presentation. Watrous stated that although the P.O.S.C. is welcome to request a presentation from the District, Staff will not need one in order to make their decision. Commissioner Zender requested that a representative speak to the quantity that will be trimmed or topped.

In response to a question asked by Chair Lindqvist, Planner Watrous informed the Commission that the eucalyptus trees are on town property. However, the Town does not have a policy to arbitrarily cut down trees because they are on public property. If specific requests are made for tree removal for which a resident is willing to pay, there are certain procedures in place for the both the Town and the public to follow.

Cantor commented that the Mr. Dittle expressed that the District's main concern is to protect the building. Planner Watrous stated that that is not what was communicated to Planner Anderson. Vice Chair Fraser interjected that he would like to hold any further comments until Mr. Dittle was present to express the District's intent.

Chair Lindqvist commented that, in addition to creating debris, eucalyptus trees are on the Town of Tiburon's list of undesirable trees.

M/S Fraser-Zender (4-0) to table the issue to the next P.O.S.C. meeting and ask Mr. Dittle to create a presentation for his plans for the eucalyptus trees adjacent to the District's property.

B. Discussion of Draft Open Space Policy

Director Echols informed the Commission that copies of the Open Space Policy Rules and Regulations had been distributed to the Tiburon Police Department, Tiburon Fire Department, and the Southern Marin Fire Department. He stated that the Police Chief responded with no comments and that no response had been received from either fire districts.

Echols suggested that the P.O.S.C. begin a public noticing process in which a draft of the policy will be published in the Ark and on the Town's website. He further recommended that the policy be forwarded to the Town Council with a recommendation to adopt it.

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Vice Chair Fraser requested that both fire districts be contacted to request their feedback on the policy. He supports Echols recommendation to publish the policy and forward it to the Town Council.

M/S Fraser-Zender (4-0) to forward the Open Space Management Policy Rules and Regulations to the Town Council after being published in the Ark and on the Town's website.

C. Discussion of P.O.S.C. meeting times and attendance

Vice Chair Fraser suggested that the P.O.S.C. meeting time be changed to begin at either 6:30 or 7:00 p.m. He also asked that it be clearly communicated with the members of the Commission and Director Echols if anyone was to be either absent or late to a meeting.

Director Echols suggested that both he and all members of the P.O.S.C. be notified via e-mail if anyone is to be absent or late. He notified the Commission that he will forward e-mail addresses to each of the commissioners and suggested that they make a "group" e-mail list that includes all of the Commission members.

Lindqvist commented that the Design Review Board begins their meetings at 7:00 p.m. and would agree to the P.O.S.C. beginning their meetings at 7:00 p.m. as well.

M/S Fraser-Cantor (4-0) to change the P.O.S.C. meeting time from 7:30 p.m. to 7:00 p.m. and to notify Director Echols and the Commission via e-mail if any member of the Commission will be either late or unable to attend a meeting.

VI. CORRESPONDENCE

There was none.

VII. ADJOURNMENT

The meeting was adjourned at 9:07 P.M.

HELEN LINDQVIST, CHAIR
Parks & Open Space Commission

ATTEST:

PAT ECHOLS, SECRETARY